

NO. 41

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

FRIDAY, MARCH 19, 2021

Friday, March 19, 2021
(Local Session)

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The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SCOTT.

ADDENDUM TO THE JOURNAL

The following remarks by Senator MATTHEWS were ordered printed in the Journal of January 28, 2021:

Remarks by Senator MATTHEWS

Thank you, Mr. PRESIDENT. Thank you for those words, and I want to thank the entire Senate for where we are on this Bill. When I came to the Senate for this session after sitting at home for this entire last year and trying to work remotely as much as possible, I had explored with many of my colleagues the thought of how we would proceed to this session. I had asked several times, "Can't we meet in a more safe place?" and I got the same response, "No", because of the constitution. I thank several committee chairs for allowing us to do it by video conferencing, and as we approach the session, still no accommodations. The pandemic, yes, it is a priority to all of us, cause it has affected all of our lives. The pandemic has made us change the way we do business, but unfortunately, here in the Senate it seems even though there is a pandemic, we are doing the same thing. Some of our oldest Senators are relegated to sitting up in the balcony where they cannot converse with us, and I was not in the Senate, but I was told by some of the older members that when the Senate and the House were being refurbished, when they were doing the upgrades, we met in a larger more feasible location. Well, we met in a different location, and so my point is why couldn't we do that now so that we could have the appropriate discussion about accommodations during this pandemic? No, instead, where are we?

We immediately jumped on this Bill. Do not get me wrong. The Senator that just spoke is exactly right. Elections have consequences. I am not going to be up here long. This Bill gives me a lot of problems. I appreciate the words of Senator SENN. You are spot on. You said many of the things that I started saying when I first came to the Senate. They have fallen on deaf ears. And I get it, elections have consequences. Power should not be abused, though. My other fellow female Senator,

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thank you for your words because it is important for us to understand and respect the perspectives of all of our fellow Senators. I have sat in close proximity to Senator CASH since he came to the Senate, and often we banter about our differences in opinion. You are exactly right, Mr. PRESIDENT, we should respect everybody's different perspectives on every Bill that comes before us and do that respectfully.

I ask the Senate -- please make accommodations for all of us during this pandemic. Let us make that our priority. Elections have consequences. Winners make policy and law. Losers simply advocate for mercy. We have asked from the beginning why S.1 first? Why do this Bill now? Why is this a priority during the pandemic? The numbers are through the roof here in South Carolina. Eighty-eight people died yesterday, and the only thing we could do here is talk about how we are going to speed up this abortion law. That is the only thing? Can't we mark time and blow bubble gum? We have done nothing except hear DHEC talk and give us their side of what is going on, long enough for us to see they are way in over their head and they need our legislative help. What have we done as any resolution? I thank Senator DAVIS for presenting a Resolution in reference to the vaccinations. What have we done to help the living? What have we done to put shots in people's arms?

I had a 70-something year old friend from Bennett's point -- and if you know anything about where I live, Colleton County, Walterboro is where the health department is. To get from Bennett's Point to our local DHEC is about 45 miles. Well, he is elderly. He is sitting out there on that island and he is sitting there trying to call, trying to call to get this vaccination because he has many health issues and trying to get online. Nobody seems to care. So finally he got in his old pick-up truck and came on up. He came by my office. He was so mad because the people in the local offices were twiddling their thumbs and told them he could not come in. They had nobody in line because nobody could get shots. What are we doing about the people who are alive, the people who put us here? What are we doing to take care of them? It seems like we do not care. We just can't put our heads in the sand and say, oh, DHEC will take care of it? We are not doing what we are supposed to do to make sure that elderly people have access to vaccines -- the people who take care of us every day. We are not doing what we are supposed to do to make sure that teachers, who we are requiring to go back to teach our children, are protected. They are the real first responders just like the police officers, just like the medical providers. Teaching is helping our

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economy grow. Why then is this General Assembly not doing anything to make sure the teachers and support staff get their shots now? Why are we doing nothing as it relates to rolling out the vaccine properly?

All we are doing is sitting back saying, "Oh, DHEC needs to do better." No, and I do not get it. I asked the gentleman who is the nominee to be Director of DHEC, "What specific and special will you bring to the table to get the shots out and get our elderly served?" He talked about, well, collaborating with D.C. to try to get more shots. Well, we need some more specifics. I believe that as Senators -- 46 Senators in here-- we need to be progressive about that. Be as dogmatic about getting shots in South Carolinians' arms. Be as dogmatic about taking care of the living as you are about restricting a woman's right to decide what she does with her body.

Yes, Senator SENN is right; our body is not chattel. You can do what you want regarding S. 1. You can pass it, but then what? It reminds me of this, simply this. Y'all have been chasing this car; it is like a dog chasing a car. The far right -- the radical right of the Republican Party have been chasing this car, this abortion car, since I have been in this Senate and way before then. Okay. Let us say you catch the car. Then what are you going to do with it? Because guess what? I do not think it is going to work. I do not think it is going to work. I know elections have consequences. We are going to march on -- the fact that you have a mandate from the radical right to pass abortion. Forget the fact that many are disgusted by the next major legislation that you want to take up being something the radical right wants, open carry of guns. I do not get it. Yes, we hear these things from people, but we have to take care of South Carolinians. I ask the DHEC folks, "Why don't you?" If you want to take care of South Carolinians, why not tell that 90-year-old person, don't get on the phone? Do not get on the internet, because you know he cannot use it. Get in your car and be first come first serve at your local DHEC. Those are problems we need to be resolving. There is no excuse why South Carolina has 90-year-old folks and above still do not have shots. That is taking care of pro-life. Elections do have consequences.

What are you going to do when you make doctors criminals? Felons. Yes, I have been on this Bill since I have gotten here. At first when I got here, the Bill said to make them a felon -- \$350,000 fine and 10 years. That has changed. It is still a felony, but let me ask you this. Why have we not seen a bunch of white coats in the lobby? Why? What is the deal there? Because I know if they become a felon for honoring their

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hippocratic oath and doing what they are supposed to protect their patient -- guess what happens? They lose their livelihood. If you are so prolife, what about the life of the doctor? What happens to his or her children? What happens to their practice? The other thing Senator SENN brought up that I was going to go into -- and I thank her for doing that, she's exactly right, if you tell someone, no, I can't give you an abortion, I can't terminate this pregnancy because it's beyond six weeks unless it's incest or rape -- have you not been to any of these colleges? Come on. I have had four pregnancies, and in not a one of them did I know that I was pregnant before I was eight weeks. That is not the way the body works. When all of this came down last week, my OB/GYN called me and said, "You know, sometimes we go in and we hear a heartbeat. The next time we go in and do not hear a heartbeat." He said it is not as complicated as hearing a heartbeat, there are other things you have to check. Nevertheless, you know what; we sent this Bill through committee so fast that we did not get to hear from any of those people who really know what they were talking about. It was a priority. Now, the other thing he brought up to me was he said, "We in South Carolina don't have enough OB/GYNs to treat the patients." Do you realize that there is a vast underrepresentation of OB/GYNs? We have 10 counties in South Carolina that do not even have an OB/GYN. He said to me, "That's why I used to have to serve Charleston and work myself into the ground -- come to Colleton just because you didn't have an OB/GYN in Hampton, Allendale or Colleton." That is sad. Shouldn't we be doing something to incentivize the care of the women rather than criminalizing the doctors? I printed out a report that he sent me and I will be glad to make it available to you, but I know it will not really matter to a lot. It is a study that was done in August of 2020 on the best and worst states to have a baby. The best and worst states to have a baby. Guess where South Carolina ranks? You are right. Once again, we are at the bottom. South Carolina is 50th. This law will simply send doctors further away. Let's talk about the consequences of the report. And here, again, you are going to get this Bill because you have the numbers. Elections have consequences, but watch out. When your grandson or great grandson or neighbor has to call a lawyer because a cop is knocking on their door because some girl after a frat party got pregnant and now she is claiming rape; please, do not come see me. It is going to happen. Because she's going to say just what she needs to say, not all the time, but she's going to say what she needs to say to accuse someone of rape. Sad.

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The other part is this is going to disproportionately affect low-income women because they do not have the resources of mommy and daddy to take them to a bordering county or state. They do not have the resources to fly to a blue state or get in the car and go to a blue state. It is not going to stop abortions as it relates to girls that are more affluent. Only the ones without means. While we are talking about ones without means, there was an amendment, and I do not know what happened to that amendment, it is not a part of S. 1. However, I think the public needs to know that when we were in committee on S. 1, there was an amendment, and I kept telling Senator DAVIS there, you know, this is a pig. You can put a bow on it, you can put lipstick on it, but it is still a pig, so I would not vote for any of the amendments. Then they kept coming. One of the amendments had the nerve to say that we will provide so-called Obamacare to those who would have the baby with the exception to those women who might be illegal. Oh, my God. So, in other words, you really care about making women have babies with the exception of those women that might be illegal. A baby is a baby. A life is a life. All of us in here are pro-life.

I submit to you, ladies and gentlemen of this Senate, this is not a pro-life Bill, this is a pro-birth Bill -- have it at all costs. Now the challenge is going to be what we are going to do when we make them have it. The challenge is going to be are we going to provide healthcare? Are we going to expand Medicare? The challenge is going to be are we going to protect and create an educational system that will make these children that you have forced into this world productive educated citizens? Are we up for the challenge? We are pro-birth, not pro-life. What are we going to do about our hospitals in the rural areas? We are not going to be able to attract any doctors, so let us give up on that. No doctor is going to want to come to this State. What are we going to do about training and educating at our teaching hospitals? Will this Bill mean that they can't learn all the procedures of aborting a because of the limitations of this Bill? Of course, that is what it means.

What happened to the Republican initiatives announced this summer as a priority once we came into session? I remembered the disgust we all felt after George Floyd died. What happened to the press conference that was had where there was an agreement or a pronouncement that the Republican Party was dedicated to police reform? I remember the Senator who was here before Senator SENN, Senator Thurman. He kept pressing a Bill relating to PTSD for police officers and getting them treatment. It died and died and died. What happened to the initiatives to

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protect the life of people who are killed and officers who are affected because we have not done anything regarding police reform? Yes, elections do have consequences.

You have with your numbers essentially caught the car. Now let us see what you are going to do with it. It seems like the two tricks are pro-birth and open carry of guns. If you want to go ahead and get that done, let's do it. Hurry up and do it. Get it over with so we can get on and do the work of the State of South Carolina. The work of protecting the people that are alive, protecting the people that need us. Let's stop bowing down and catering to the radical right. We have to do better. I am of the belief that, yes, our rights end where our nose begins. All lawyers in here know that that is one of the first things they tell you in constitutional law, and we know about separation of church and state. I have heard many biblical references during this debate, and I am going to give you one. My mother always told me, if you turn that bible around enough, turn enough pages, and look enough, you will find a biblical reference to anything, and you can shape it the way you want. I have heard all of this about personhood and heartbeat. Well, I am going to give you a reference. You can read it on your own. Numbers, Chapter 5 verse 11 through 31. I never professed to be a biblical scholar, but Numbers, Chapter 5 verses 11 through 31 details the punishment for a women found to have committed adultery and gotten pregnant. A formula of drink was mixed up and given to the woman. It caused her uterus to swell and she would miscarry the baby if she were guilty. Now, that flies in the face of that oh, the child is innocent. We need to protect all life. That chapter also indicates that the fetus does not possess a right to life in and of itself, and back then, they felt that the fetus did not possess a life -- a right to life. It was killed if it was conceived in adultery.

I am going to end by saying I am ready. I am ready to roll up my sleeves and take care of all of South Carolina. I am ready to do whatever is necessary to deal with this pandemic and the effects. I am ready to deal with real issues. Let's deal with police reform. Let's deal with the pandemic. Let's deal with healthcare for women. Healthcare for all. Let's deal fairly for those extra 5,000 children. Let's deal with education, freedom for them. Let's do that. Let's hurry up and do it. We have to do it together. Just because you have the power, does not mean you should trample on the rights of others. Thank you.

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ADDENDUM TO THE JOURNAL

The following remarks by Senator FANNING were ordered printed in the Journal of March 9, 2021:

Remarks by Senator FANNING

Thank you, Mr. PRESIDENT. Thank you, Senator JACKSON. Benedict College has been around since 1870 and has educated generations and generations of South Carolinians -- providing opportunities to folks who didn't have the opportunity to go to college for literally 150 years. I join Senator JACKSON today, as a proud graduate of Benedict College, Class of 1991, so I know first-hand the quality of their teacher education program and their commitment to outreach. While other programs may focus on schools achieving great things, Benedict has always had as its mission to teach those and to reach those that the rest of society has overlooked in the past. We join together in celebrating 150 years of our own HBCU in South Carolina that has done some amazing things. I hope you all will join with us in congratulating Benedict College on its sesquicentennial anniversary.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 677 Sen. Gambrell

ADJOURNMENT

At 11:03 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet next Tuesday, March 23, 2021, at 12:00 Noon.

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